IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.155 OF 2004

The Commissioner of Income-tax ..Appellant.

V/s.

Nupur International ..Respondent.

Mr.R.V.Desai, senior counsel with Pankaj Kapoor for appellant.

CORAM : S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 24TH JANUARY, 2005.

P.C. :-

1. Heard learned counsel for the appellant. Perused the order of the Income Tax Appellate Tribunal, Mumbai Bench, SMC-I, Mumbai dated 29/8/2001. It appears that the assessee has accepted the liability of taxation and thereafter a penalty proceedings seems to have been initiated. Our High Court has also concluded that conditional admission of the assessee cannot be made basis for penalty. Therefore, there is no substantial question of law raised in this appeal. In view thereof appeal stands dismissed.

(S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)